

JOSE R. MATA (Cal. State Bar No. 83724)
BAILEY PINNEY, PC
1498 SE Tech Center Place, Suite 290
Vancouver, Washington 98683
Telephone: (360) 567-2551
Facsimile: (360) 567-3331
JMata@wagelawyer.com

(Additional counsel for plaintiff on next page)

Attorneys for Plaintiff Okechukwu Mbama

JEFFREY D. WOHL (Cal. State Bar No. 96838)
RISHI N. SHARMA (Cal. State Bar No. 239034)
GREGGORY W. DALTON (Cal. State Bar No. 252000)
PAUL, HASTINGS, JANOFSKY & WALKER LLP
55 Second Street, 24th Floor
San Francisco, California 94105-3441
Telephone: (415) 856-7000
Facsimile: (415) 856-7100
jeffwohl@paulhastings.com
rishisharma@paulhastings.com
greggorydalton@paulhastings.com

Attnorneys for Defendant Target Corporation

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

OKECHUKWU MBAMA, individually and on behalf of all others similarly situated

Plaintiff

vs.

TARGET CORPORATION, a Minnesota Corporation, and Does 1-25, inclusive.

Defendants.

No. C-07-3014-SI

**JOINT STIPULATION AND [PROPOSED]
ORDER TO CONTINUE CASE MANAGEMENT
CONFERENCE AND STAY**

Date: Friday, February 29, 2008
Time: 2:30 p.m.
Courtroom: 10, 19th Floor
Judge: Hon. Susan Illston

1 Additional Counsel for Plaintiff Okechukwu Mbama:

2 SUSAN SEEMILLER (Cal. State Bar No. 150546)
3 BAILEY PINNEY, PC
4 770 County Square Drive, Suite 100
5 Ventura, California 93003
6 Telephone: (805) 658-0977
7 Facsimile: (805) 658-2801
8 sseemiller@wagelawyer.com

9 BONNIE MAC FARLANE (Cal. State Bar No. 161526)
10 BAILEY PINNEY, PC
11 720 Howe Avenue, Suite 113
12 Sacramento, California 95825
13 Telephone: (800) 230-5528
14 Facsimile: (800) 230-5866
15 bmacfarlane@wagelawyer.com

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STIPULATION

Plaintiff Okechukwu Mbama and defendant Target Corporation (“Target”), appearing through their respective counsel of record, stipulate as follows:

1. On September 18, 2007, the parties filed their first Joint Case Management Statement (Docket No. 24); informed the Court of the related litigation in *Mora v. Target Corp.*, U.S.D.C., S.D. Cal., No. 07-CV-0719-BEN-WMC (“*Mora*”), pending before United States District Judge Roger T. Benitez in the Southern District of California; and reported Target’s motion to dismiss the complaint in *Mora* was still pending before Judge Benitez.

2. On September 28, 2007, following the initial case management conference in this action, the Court stayed proceedings and set a further case management conference for Friday, November 16, 2007, to allow Judge Benitez time to rule on Target's motion to dismiss in *Mora*.

3. On November 9, 2007, the parties reported in their Joint Case Management Statement (Docket No. 28) that Judge Benitez had denied Target's motion to dismiss the complaint in *Mora*, but had simultaneously issued an order to show cause why *Mora* should not be dismissed for lack of subject matter jurisdiction. Based on its confidence that Judge Benitez would find jurisdiction in *Mora* proper under the Class Action Fairness Act of 2005, 28 U.S.C. § 1332(d), Target asked that the Court continue the case management conference and stay until January 2008 in the anticipation that Judge Benitez would have discharged the order to show cause by that time.

4. Following the case management conference on November 16, 2007, the Court continued the stay in this action and set a further case management conference for January 18, 2008. Following the parties' further stipulation to continue the January 18, 2008, case management conference, however, the Court reset the case management conference and extended the stay to February 29, 2008.

5. Even though the parties in *Mora* filed briefs in support of the Court's jurisdiction, Judge Benitez has not yet discharged his order to show cause in *Mora*.

6. Accordingly, the parties request that the Court vacate the case management conference set for February 29, 2008; set a further case management conference for Friday, April 25, 2008, at 2:30 p.m.; and continue the stay in this action until April 25, 2008.

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1 Dated: February 22, 2008.

JOSE R. MATA
SUSAN SEEMILLER
BAILEY PINNEY, PC

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3 BONNIE MAC FARLANE
4

5 By: /s/ Jose R. Mata
6

Jose R. Mata

7 Attorneys for Plaintiff Okechukwu Mbama
8

9 Dated: February 22, 2008.

JEFFREY D. WOHL
RISHI N. SHARMA
GREGGORY W. DALTON
PAUL, HASTINGS, JANOFSKY & WALKER LLP

10 By: /s/ Rishi N. Sharma
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Rishi N. Sharma

12 Attorneys for Defendant Target Corporation
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CASE MANAGEMENT ORDER

On the stipulation of the parties, and good cause appearing therefore,

IT IS HEREBY ORDERED that the further case management conference set for Friday, February 29, 2008, at 2:30 p.m. in this action is vacated.

IT IS HEREBY ALSO ORDERED that the parties shall appear on Friday, April 25, 2008, at 2:30 p.m. for a further case management conference in this action, with the parties' joint case management conference statement due five days prior.

IT IS HEREBY ALSO ORDERED that the stay in this action is continued to April 25, 2008.

Dated: February , 2008.

Susan Mleton

Susan Illston
United States District Judge

Dated: February 22, 2008.

JOSE R. MATA
SUSAN SEEMILLER
BAILEY PINNEY, PC

BONNIE MAC FARLANE

By:

Jose R. Mata

Attorneys for Plaintiff Okechukwu Mbama

Dated: February 22, 2008.

JEFFREY D. WOHL

RISHI N. SHARMA

GREGGORY W. DALTON

PAUL, HASTINGS, JANOFSKY & WALKER LLP

By:

Rishi N. Sharma

Attorneys for Defendant Target Corporation